

Application No.: 10/762,554Docket No.: 713-1048**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-8. (canceled)

9. (new) A fastening apparatus, comprising:

a muzzle;

a piston slidable within and along an axis of the muzzle for driving fasteners out of the muzzle; and

a lateral positioning member having a plurality of different, lateral bearing surfaces and being moveable relative to said muzzle so as to bring any of the different, lateral bearing surfaces to a reference position in which said lateral bearing surfaces are spaced from the axis of said muzzle by different distances, respectively, and in which said lateral bearing surfaces are placeable against a side of a workpiece, to whereby allow positioning of said muzzle at said different distances from the side of the workpiece.

10. (new) The fastening apparatus of claim 9, wherein said lateral positioning member is rotatably attached to said muzzle.

11. (new) The fastening apparatus of claim 10, wherein a rotational axis of said lateral positioning member is perpendicular to the axis of said muzzle.

12. (new) The fastening apparatus of claim 10, wherein said lateral positioning

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member comprises a plate and a plurality of projections extending outwardly from said plate in different radial directions of said plate, each of said projections defining at least one of said lateral bearing surfaces.

13. (new) The fastening apparatus of claim 12, wherein said lateral positioning member further comprises at least a protrusion extending in an axial direction of said plate from an end portion of one of said projections and defining one of said lateral bearing surfaces.

14. (new) The fastening apparatus of claim 12, wherein said projections are mutually different in at least one of their configurations and their placements along an axial direction of said plate.

15. (new) The fastening apparatus of claim 12, wherein said lateral positioning member further comprises a plurality of locking elements arranged circumferentially on said plate, each of said projections corresponding to one of said locking elements which are engageable with a matching locking member on an outer wall of said muzzle for releasably locking said lateral positioning member and said muzzle at any of a plurality of different relative positions, respectively,

each of said relative positions corresponding to one of said lateral bearing surfaces being placed in the reference position.

16. (new) The fastening apparatus of claim 15, wherein said locking elements are recesses.

17. (new) The fastening apparatus of claim 16, wherein said recesses are provided on opposite end surfaces of said plate.

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18. (new) The fastening apparatus of claim 9, further comprising a plurality of different locking elements for releasably locking said lateral positioning member and said muzzle at any of a plurality of different relative positions, respectively,

each of said relative positions corresponding to one of said different locking elements and one of lateral bearing surfaces being placed in the reference position.

19. (new) A fastening apparatus, comprising:

a muzzle;

a piston slidable within and along an axis of the muzzle for driving fasteners out of an end of the muzzle;

an axial positioning member for adjusting a first distance from the end of the muzzle to a first surface of a workpiece;

a lateral positioning member for adjusting a second distance from the end of the muzzle to a second surface of the workpiece; and

a common, elongated fastening element that attaches both said axial positioning member and said lateral positioning member to said muzzle.

20. (new) The fastening apparatus of claim 19, wherein said lateral positioning member is moveably attached by said elongated fastening element to said muzzle, whereas said axial positioning member is immoveably fixed by said elongated fastening element to said muzzle.

21. (new) The fastening apparatus of claim 20, wherein said axial positioning member comprising a grooved surface engaged with a matching grooved surface of said muzzle.

22. (new) The fastening apparatus of claim 19, wherein said lateral positioning member is rotatably attached by said elongated fastening element to said muzzle.

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23. (new) The fastening apparatus of claim 19, wherein said lateral positioning member has a plurality of different, lateral bearing surfaces which are placeable, by a rotation of said lateral positioning member, in a reference position in which said different, lateral bearing surfaces are spaced from the axis of said muzzle by different distances, respectively.

24. (new) A fastening apparatus, comprising:

a muzzle;

a piston slidable within and along an axis of the muzzle for driving fasteners forwardly from an end of the muzzle;

an axial positioning member having an axial bearing surface positioned forward of the end of the muzzle, said axial positioning member being fixable to said muzzle at various locations for adjusting a first axial distance between said axial bearing surface and the end of said muzzle; and

a lateral positioning member having a plurality of different, lateral bearing surfaces and being rotatably attached to said muzzle, wherein said different, lateral bearing surfaces are placeable, by a rotation of said lateral positioning member, in a reference position in which said different, lateral bearing surfaces are forward of the end of said muzzle and spaced from an axis of said muzzle by different distances, respectively.

25. (new) The fastening apparatus of claim 24, further comprising

a bolt having a head at an end thereof and extending through a first hole in said lateral positioning member to define a rotational axis of said lateral positioning member;

a nut threaded onto an opposite end of said bolt; and

a spring disposed together with said lateral positioning member between said nut and the head of said bolt;

wherein said lateral positioning member is rotatably attached to said muzzle by said bolt, nut and spring while remaining moveable along the bolt upon elastic deformation of said spring.

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26. (new) The fastening apparatus of claim 25, wherein said axial positioning member comprises:

a first section positioned forward of said end of said muzzle and having said bearing surface;

a second section extending from said first section rearwardly and along said muzzle, said second section comprising a grooved surface engaged with a matching grooved, outer surface of said muzzle, and a second hole through which said bolt extends to whereby fix said axial positioning member to said muzzle by said bolt and nut.

27. (new) The fastening apparatus of claim 26, wherein

said lateral positioning member comprises a plurality of different locking elements arranged circumferentially about the first hole, each of said locking elements corresponding to one of said lateral bearing surfaces;

said second section of said axial positioning member comprises a matching locking member engageable with any of said locking element of the lateral positioning member to whereby releasably lock any of the lateral bearing surfaces in the reference position when the corresponding locking element is engaged with said locking member.

28. (new) The fastening apparatus of claim 27, further comprising a spacer having a first end abutting said second section of said axial positioning member and a second end abutting said nut, so as to rigidly press the grooved surfaces against each other when said nut is fastened and allow disengagement of said grooved surfaces and axial movement of the axial positioning member along said muzzle when said nut is loosened.